

DEPARTMENT FOR MENTAL HEALTH AND MENTAL RETARDATION SERVICES

TIME AND ATTENDANCE

POLICY: Reporting for work as scheduled and on time is the responsibility of each employee. All leave must be requested and approved in advance, in accordance with facility policy, employee handbook and administrative regulations. The procedures set forth in this policy shall apply when circumstances prevent arrival on time or when there is unexpected absence for the scheduled work period. Patient health, safety and care, as well as employee morale, are depended upon all persons reporting at their scheduled times. Facilities are 24-hour per day operations for patient care. This clarifies and supercedes any memorandums or procedures on time and attendance.

DEFINITIONS:

Absence – failure to be on the job as scheduled

Excused Absence – absence for which the employee requests the leave in advance and his/her supervisor approves (or is approved by supervisory discretion after the fact)

Unexcused Absence – absence for which the employee fails to request leave in advance or for which the leave is not approved by supervisor; employee fails to notify in an appropriate manner that he/she will not be on the job as scheduled (commonly referred to as “NO CALL/NO SHOW”) – unapproved leave without pay to be given with corresponding disciplinary action

Tardiness – arriving late at the work station

Excused Tardiness – supervisor approves the reason for the employee reporting late for duty, with appropriate leave taken

Unexcused Tardiness – supervisors does not approve the reason for the employee reporting late for duty; employee fails to notify the appropriate person that he/she will arrive late at the workstation - unapproved leave without pay to be given with corresponding disciplinary action

Weekends – defined as third shift on Friday through second shift on Sunday

Emergencies – defined as unexpected, serious occurrences urgently requiring prompt action – making appointments during scheduled work times or routine health care provider visits are not considered emergencies

PROCEDURE:

1. Supervisors have the delegated authority to approve or deny a request for leave in order to meet organizational needs or if an employee has not followed the procedures for requesting leave.
2. Any employee who has a balance of at least 100 hours of compensatory leave will be required to use compensatory leave before the employee's request for annual leave is approved, unless the employee's annual leave balance exceeds the maximum number of hours that may be carried forward. Refusal to use compensatory leave will result in the denial of the leave request.
3. An employee must notify, within the established time frame, his/her supervisor or designee if he/she is going to be tardy or absent and state the reason for the absence. Notifications will be made according to practices set forth by each facility.
4. Call-ins for tardiness will be approved by the supervisor/designee for emergencies. Oversleeping or other issues under the direct control of the employee are not considered emergencies and are subject to the approval or denial of the supervisor.
5. If the supervisor finds that the employee's reason for the absence or tardy is valid, he/she may grant sick leave, if appropriate, annual or compensatory leave. The supervisor may grant authorized leave without pay in the event that all accumulated leave has been exhausted.
6. The Facility Director, or designee, may designate a certain period of time for which limited annual leave may be granted or that all staff must provide a physician's statement for absences due to illness, e.g., visits by outside regulatory, licensing or accrediting bodies; Kentucky Derby week, etc. In addition, the Facility Director, or designee, may also cap the number or percentage of how many employees at the facility, or within a certain job function or classification, may be approved for vacation or annual leave at any given time, e.g., only 20% of correctional officers may be approved for leave at any given time. These designations must be in writing and given to all staff. Assurance will be maintained that no Kentucky Administrative Regulation will be violated.

7. Employees will not receive disciplinary action for unexcused tardiness of less than five (5) minutes unless it exceeds three (3) episodes in three (3) months. Unapproved tardiness of more than five (5) minutes will result in unapproved leave without pay and the appropriate disciplinary action.
8. Employees will utilize their accumulated leave time for approved tardiness. Employees will not receive pay for unapproved tardiness.
9. All employees will be required to provide a written and signed health care provider's statement, or other written justification as follows:
 - A. When there is an absence of three (3) or more consecutive days due to illness or injury of the employee that has not already been verified by supervisor/designee.
 - B. Whenever the supervisor/designee notifies staff, in advance, that such documentation will be required due to circumstances that constitute good cause, e.g., holidays, special events, staffing levels.
 - C. When the employee is returning to work with restrictions.

The health care provider's statement must be the original, reflect the letterhead and signature of the health care provider, the date written, the expected date of return, and restrictions. The statement is to be presented to the supervisor/designee as he/she requested.

10. When the employee has been placed on the requirement to provide a health care provider's statement for all absences due to illness of self or family, the following will apply:
 - documented on the "Verification of Personal or Family Illness" form (which is to be updated no more than every six months)
 - statements must be the original documents
 - statements must reflect the date it was issued
 - statements must reflect that the employee's or family member's illness requires that the employee be off work to care for himself/herself or the family member
 - statements must reflect the time period that the employee will be absent and the date of return
 - statements must be specific to the dates of absence
 - statements must reflect the letterhead and signature of the physician/designee/qualified provider (no stamped signature)

-statements must be submitted at the beginning of the first day back to work
-supervisors/designees may approve or deny leave, in accordance with administrative regulations, based on the health care provider's statement

11. Health care provider statements may be verified for authenticity.
12. Failure to submit a valid health care provider statement when required will constitute an unauthorized absence, be documented on the employee's timesheet as unapproved leave without pay (Code 929), and appropriate disciplinary action taken.
13. Submission of a falsified or altered statement will result in a recommendation for major disciplinary action up to and including dismissal.
14. When cases of unexcused absences or tardiness result in the employee receiving unapproved leave without pay, due diligence will be taken to assure that the employee is notified of the unapproved leave without pay prior to the submission of his/her timesheet to facility Human Resources/Personnel Offices. The supervisor or designee shall document the rationale for the unexcused leave and the reasons, if any, the employee provides for the absence or tardiness.
15. Time and attendance issues may be addressed initially through a Verbal Counseling or Coaching session before initiating progressive discipline. Consideration should be given at this time of placing the employee on the requirement to provide a health care provider's statement for absences due to illness.
16. Unexcused absences and/or tardiness are considered cumulative in nature and the following progressive disciplinary measures will be taken:
 - A. 1st Occurrence Verbal Reprimand
 - B. 2nd Occurrence Written Reprimand
 - C. 3rd Occurrence Suspension Request
 - D. 4th Occurrence Suspension Request
 - E. 5th Occurrence Dismissal Request

17. If an employee fails to report for duty or notify the supervisor/designee of reasons for his or her absence (NO CALL, NO SHOW), up to two levels of the progressive disciplinary steps may be omitted.
18. If an employee has failed to report for duty or failed to notify the supervisor/designee with reasons for his/her absence for ten (10) days, the facility will request that the employee be resigned in accordance with administrative regulations.
19. Requests for disciplinary action regarding time and attendance infractions must include copies of the employee's timesheets for the appropriate time period indicating Code 929 for unapproved leave without pay. Copies of other documentation, e.g., the employee's reasons for the absence or tardiness, must also be included.
20. When six (6) or more months have lapsed since the employee has last been disciplined for time and attendance infractions, and another infraction occurs, the last disciplinary step must be repeated.
21. When an employee achieves two (2) years free of disciplinary actions for time and attendance infractions, the disciplinary process begins anew should there be another occurrence.
22. Supervisors are responsible for implementing this policy consistently and fairly throughout their respective departments. Failure to do so will result in the supervisor being subject to the disciplinary process.

May 16, 2003